

# FINAL BILL REPORT

## SSB 6122

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### PARTIAL VETO

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Synopsis as Enacted

**Brief Description:** Reducing costs of the elections division of the office of the secretary of state.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Prentice, Zarelli and Brandland; by request of Secretary of State).

**Senate Committee on Ways & Means**

**House Committee on Ways & Means**

**Background:** Legal Advertising. The State Constitution (Constitution) provides that a constitutional amendment is subject to approval by the voters of the state. The Constitution also provides for direct legislation by the people through the initiative and referendum process.

The Constitution requires public notice of proposed constitutional amendments, initiatives, and referenda. The Secretary of State (SOS) is required by the Constitution to send a copy of the proposed amendment, initiative, or referendum, with arguments for and against the proposal, to every residence in the state. The Constitution also requires notice of proposed constitutional amendments be published in every legal newspaper in the state at least four times during the four weeks preceding the election. The constitutional requirement for publication of legal notice of constitutional amendments is supplemented by statutes requiring, within available funds, publication of notice of initiatives and referenda and an equivalent amount of radio and television advertisements. The published notices are required by statute to contain the measure's ballot title, a summary of the law as it currently exists and the effect of the proposal if adopted, and the total number of votes cast for and against the measure in the Legislature.

Voters' Pamphlet. The Voters' Pamphlet is printed by the State Printer (SP) on behalf of the SOS. The pamphlet is mailed to approximately 2.4 million residences in the state. For statewide ballot measures, the Voters' Pamphlet contains the ballot title, an explanatory statement prepared by the Attorney General, a fiscal impact statement prepared by the Office of Financial Management, and arguments for and against the measure.

The Voters' Pamphlet also includes candidate statements, not exceeding 300 words, for each federal office appearing on the ballot (President, Vice President, Senator, and Representative)

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and Governor. Candidate statements for all other statewide executive positions, state senators, and judicial positions cannot exceed 200 words. Candidate statements for state representatives cannot exceed 100 words.

Election Certification and Training. Under the supervision of an Election Administration and Certification Board, the SOS operates an elections certification and training program for county elections administration officials. The board consists of state elections officials and representatives of county auditors, legislators, and political parties. The certification and training program reviews each county elections office once every three years. The SOS also provides training and related travel expenses to elections observers designated by each major political party.

Miscellaneous. The SOS must print and distribute postage-free envelopes and voting instructions for overseas and military service voters. These materials are sent to overseas and service voters by county auditors.

The SOS must distribute a printed manual of election laws and rules. The SOS must also print and distribute a voter guide describing what constitutes voter fraud and discrimination under state election laws.

**Summary:** Legal Advertising.

For the purposes of legal advertising, \$160,000 is appropriated from the state General Fund.

Voters' Pamphlet. The requirement that the Voters' Pamphlet be printed by the SP is eliminated.

Election Certification and Training. The review period for county elections offices is extended to five years. The training and reimbursement of election observers designated by political parties is eliminated.

Miscellaneous. Envelopes and instructions for overseas and service voters will be printed by county auditors instead of the SOS. The election manual and voter guide are eliminated.

**Votes on Final Passage:**

Senate	44	0	
House	90	4	(House amended)
Senate	42	5	(Senate concurred)

**Effective:** July 26, 2009

**Partial Veto Summary:** The Governor vetoed the section authorizing the Voters' Pamphlet to be printed without the SP.